## North Canton City Council Community and Economic Development Committee

## **ORDINANCE 47 - 2020**

An ordinance to amend Chapter 1145, Conditional Use Regulations, of the Codified Ordinances, specifically Section 1145.06, Schedule of Minimum Lot and Yard Dimensions for Conditional Uses in Commercial and Industrial Districts, and Section 1145.07, Supplemental Regulations for Certain Uses, as more fully described below.

WHEREAS, due to sudden and necessary changes caused by the COVID-19 pandemic and the need to preserve public health the City wishes to encourage the use of outdoor dining facilities to limit the continued spread of disease and encourage physical distancing.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That Chapter 1145, Conditional Use Regulations, of the Codified Ordinances, specifically Section 1145.06, Schedule of Minimum Lot and Yard Dimensions for Conditional Uses in Commercial and Industrial Districts, be, and is hereby, amended as follows:

## SECTION 1145.06 SCHEDULE OF MINIMUM LOT AND YARD DIMENSIONS FOR CONDITIONAL USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS

Schedule 1145.06 sets forth regulations governing minimum lot area, minimum lot width and minimum yard requirements for principal and accessory buildings and parking areas for conditional uses in a commercial or industrial district. Supplemental requirements pertaining to such uses are set forth in Section 1145.07, and the specific subsections are referenced in Schedule 1145.06, below.

Schedule 1145.06 Area, Width and Yard Regulations for Conditional Uses

Conditional Use	Minimum Lot Regulations		Minimum Building Setbacks		, Minimum Parking Setbacks		Also See Section
	Area	Width	Front	Side /	Front	Side /	:
				Rear		Rear	
Adult use	(2)	(2)	(2)	(2)	(2)	(2)	1145.07(a)
Bank or bank with	(2)	(2)	(2)	(2)	(2)	(2)	
accessory drive-through lanes		! :	:	:			
Business or trade school	(2)	(2)	(2)	(2)	(2)	(2)	
Club, lodge or assembly	(2)	(2)	(2)	(2)	(2)	(2)	1145.07(d)
hall		:					
Day care facility, adult or	(2)	(2)	(2)	(2)	(2)	(2)	1145.07(e)
child							
Drive-through facility in	(2)	(2)	(2)	(2)	(2)	(2)	1145.07(f)
association with a permitted				:			
use			•				
Funeral home, mortuary	(2)	(2)	(2)	(2)	(2)	(2)	
Hospital	5 acres	300 ft.	50 ft.	40 ft.	(2)	(2)	1145.07(i)
Manufacture of products	5 acres	300 ft.	100	100	(2)	(2)	1145.07(j)
from raw materials			ft.	ft.			
Mini/self storage facility	(2)	(2)	(2)	(2)	(2)	(2)	1145.07(k)
Motel, hotel	(2)	(2)	(2)	(2)	(2)	(2)	
Outdoor commercial	(2)	(2)	(2)	(2)	(2)	(2)	1145.07(m)
recreation						· :	
Outdoor dining	<del>(2)</del>	<del>(2)</del>	<del>(2)</del>	(2)	<del>(2)</del>	<del>(2)</del>	1145.07(n)
Outdoor display of	(2)	(2)	(2)	(2)	(2)	(2)	1145.07(o)
merchandise for sale				: !			
Place of worship	(2)	(2)	(2)	(2)	(2)	(2)	1145.07(p)
Residential care facility	(2)	(2)	(2)	(2)	(2)	(2)	1145.07(q)
Residential unit accessory	(2)	(2)	(2)	(2)	(2)	(2)	1145.07(r)
to a commercial use							
School, public or private	(2)	(2)	(2)	(2)	(2)	(2)	1145.07(p)

Wireless telecommunications facility	See Chapter 1157								
Veterinary hospital with associated cages, runs and kennels	(2)	(2)	(2)	(2)	(2)	(2)	1145.07(v)		
Truck transfer terminal, motor freight garage	5 acres	300 ft.	100 ft.	100 ft.	(2)	(2)	1145.07(u)		
Temporary outdoor special event lasting longer than 45 days	(2)	(2)	(2)	(2)	(2)	(2)	1145.07(t)		
Studio for instruction	(2)	(2)	(2)	(2)	(2)	(2)	1145.07(s)		

- That Chapter 1145, Conditional Use Regulations, of the Codified Ordinances, Section 2. specifically Section 1145.07(n), Outdoor Dining, be, and is hereby, repealed.
- Section 3. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, it shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 4. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this 23rd day of november 2020.

Attest: Benjamin R. Young, Clerk of Council

tephan B. Wilder Signed on: 23 November 2020

<sup>(1)</sup> Regulations apply to all side and rear setbacks unless a greater setback is specified in the district regulations for lots adjacent to residential districts.

<sup>(2)</sup> Shall comply with district regulations.